

REMARKS

Claims 1-31 are pending in this application. The Examiner has restricted the claims to three groups:

Group I: claims 1-8, 14-18 and 20-31, drawn to a purified and isolated nucleotide sequence encoding a regulatory protein that is approximately 45 kD, expressed primarily under heat shock conditions, is localized in chloroplasts, has high homology to chloroplast elongation factor EF-Tu from *E. coli* or tobacco, said nucleotide sequence being capable of hybridizing under conditions of high stringency to SEQ ID NO: 6; or wherein said nucleotide sequence is SEQ ID NO: 5; or an expression cassette comprising said nucleotide sequence; a vector comprising said expression cassette, a prokaryotic or eukaryotic host cell comprising said vector; a method for increasing plant tolerance to heat and drought; a transformed plant which is substantially tolerant or resistant to one or more environmental conditions, cells of said plant comprising a recombinant DNA segment encoding EF-Tu.

Group II: claims 9-13 drawn to a regulatory protein.

Group III: claim 19, drawn to a method of identifying heat shock EF-Tu genes in a plant species.

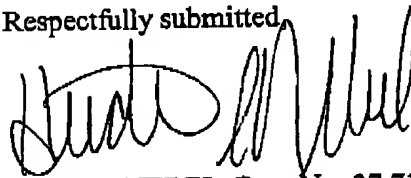
In response to the restriction requirement, Applicants elect to prosecute Group I, claims 1-8, 14-18 and 20-31, with traverse. Further, Applicants respectfully request reconsideration that claim 19, a method of identifying heat shock EF-Tu gene in a plant species, be included in Group I, as the method uses the sequence disclosed as SEQ ID NO: 5 which is specifically claimed in elected claim 2. Reconsideration is requested. Applicants submit that no separate search is required to search the non-elected groups as all claims are related as product and method of use for the characterization of the novel maize chloroplast protein synthesis elongation factor (EF-

Tu) protein and the use of the same for the temporal and spatial expression of genes that enhance tolerance to heat and drought conditions in plants and can be reviewed in a single search. In the event the requirement is maintained, claims 9-13 and 19 will be cancelled upon indication of allowable subject matter.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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